



Economic Impact Analysis Virginia Department of Planning and Budget

8 VAC 20-140 – Regulations Governing Retention Schedule for Uniform Pupil Accounting Records

Department of Education

July 13, 2004

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The Board of Education (board) proposes to repeal these regulations.

Estimated Economic Impact

Section § 42.1-82 of the Code of Virginia vests the Library of Virginia with the authority to set the retention and disposition schedules for public records. On June 3, 2003, the Library of Virginia's Records Retention and Disposition Schedule, General Schedule No. 21, Public School Records, All Public School Systems (GS 21), became effective. Since GS 21 supersedes the board's Regulations Governing Retention Schedule for Uniform Pupil Accounting Records (regulations), the repeal of these regulations does not technically have any effect beyond reducing potential confusion for the public. GS 21 differs from the regulations in a few respects. The complete regulations are as follows:

An accurate and complete cumulative record on achievement and attendance shall be maintained for every child enrolled in the public schools (both elementary and high).

The following records shall be retained for periods as indicated:

1. Pupil cumulative records - indefinitely;
2. Principal's and head teacher's term report - indefinitely;
3. Teacher's register - 10 years, exclusive of the current school year.

GS 21 differs in that it specifies that long-term pupil cumulative records are to be kept for 75 years (versus indefinitely under the regulations), and shorter-term pupil cumulative records are to be kept for 5 years after graduation (versus indefinitely under the regulations). Also, principal and teacher's term reports are to be kept for 10 years under GS 21 versus indefinitely under the regulations. Retention requirements for teacher's register are the same under both GS 21 and the regulation.

The shorter retention requirements will be beneficial for school divisions since they will be permitted to dispose of older records and save on storage costs. On the other hand, the shorter retention requirements could potentially be costly to researchers. According to GS 21, the academic information in shorter-term pupil cumulative records "consists of individual student's college entrance exam score reports/profiles from normative tests such as achievement batteries and inventories, results of the Virginia Competency Test and other standardized group tests and inventories." Thus data such as SAT scores will be disposed of after five years rather than be kept indefinitely. This data is potentially useful for producing education policy studies that could help inform decision makers.

Businesses and Entities Affected

GS 21 affects the 131 school divisions in the Commonwealth as well as researchers and other individuals interested in accessing school records.

Localities Particularly Affected

All Virginia localities are affected. No localities are particularly affected more than any others.

Projected Impact on Employment

GS 21 is unlikely to significantly affect employment.

Effects on the Use and Value of Private Property

GS 21 will not directly affect the use and value of private property. School divisions will likely save a small amount on storage costs.